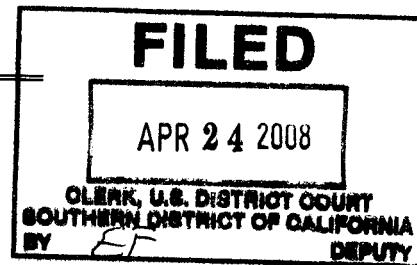


**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA**



UNITED STATES OF AMERICA

WAIVER OF INDICTMENT

v.

EFRAIN HERNANDEZ

CASE NUMBER: 08CR1324-BEN

I, EFRAIN HERNANDEZ, the above named defendant, who is accused of committing the following offense:

Importation of Marijuana, in violation of Title 21, United States Code, Sections 952 and 960 (Felony),

being advised of the nature of the charge(s), the proposed information, and of my rights, hereby waive in open court on 4/24/08 prosecution by indictment and consent that the proceeding may be by information rather than by indictment.

Efrain Hernandez  
Defendant

Wendy S. Berhoff  
Counsel for Defendant

Before

[Signature]  
Judicial Officer